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DOCKET NO.: joey060100p

4 **PATENT APPLICATION**

5 **IN THE U.S. PATENT AND TRADEMARK OFFICE**
6 **NONPROVISIONAL PATENT Application Cover Sheet**

7 **ASSISTANT COMMISSIONER FOR PATENTS**
8 Washington, D.C. 20231

9 Sir: This a request for filing a NONPROVISIONAL APPL1CATION under 37 CFR 1.53(b).

10 **INVENTOR(s) APPLICANT(s)**

11 Last Name First Name Middle Initial Residence (City and Either State or Foreign Country)

12 Rothman Joey Greeley, Colorado

13 Additional inventors are being named on separately numbered sheets attached:none

14 **TITLE OF THE INVENTION: OUTDOOR SPECTATOR COVER**

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19 **ENCLOSED APPL1CATION PARTS (check all that apply)**

20 (X) Specification Number of Pages: 10 glr
21 (X) Drawing(s) Number of Pages: 3
22 Other (specify) APPENDIX A doc

23 **METHOD OF PAYMENT: (X) Attached is a check for \$ 355.00**

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Respectfully submitted:

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02-19-98REV1

1
2 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3 APPLICANT: JOEY ROTHMAN SERIAL NO.: *10/16*

4 FILED: OCTOBER *16*, 2000 *JR* GROUP:

5 TITLE: OUTDOOR SPECTATOR COVER

7 DECLARATION BY INDEPENDENT INVENTOR

8 CLAIMING SMALL ENTITY STATUS

9 I hereby declare that I qualify as an independent inventor as defined
10 in 37 C.F.R. 1.9(c) for the purpose of paying reduced fees under section
11 41(a) and (b) of Title 35, United States Code, with regard to the invention
described in the heading above or the specification filed herewith, as the
case may be.

12 I have not assigned, granted, conveyed or licensed, and am under no
13 obligation under contract or law to assign, grant, convey, or license any
rights in the invention to any person who could not be classified as an
independent inventor under 37 C.F.R. 1.9(d), or to any concern which would
not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit
corporation under 37 C.F.R. 1.9(e).

14 Each person, concern or organization to which I have assigned, granted,
15 conveyed or licensed, or am under an obligation under contract or law to
assign, grant, convey, or license any rights in the invention is listed
16 below: NONE

17 I acknowledge the duty to file in this application or patent
notification of any change in status resulting in loss of entitlement to
18 small entity status prior to paying, or at the time of paying, the earliest
of the issue fee due or any maintenance fee due after the date on which
status as a small entity is no longer appropriate.

19 I hereby declare that all statements made herein of my own knowledge
20 are true and that all statements made on information and belief are believed
21 to be true; and further that these statements were made with knowledge that
willful false statements and the like so made are punishable by fine or
imprisonment, or both, under Section 1001 of Title 18 of the United States
Code, and that such willful false statements may jeopardize the validity of
22 the application or any patent issued thereon.

23 Signature *Joey Rothman* Date: October, *16* 2000.

Joey Rothman

24 Post Office Address: 6516 26th Street, Greeley, CO 80634

OUTDOOR SPECTATOR COVER

Background of the Invention

The present invention relates to the invention of a novel cover which encloses the lower portion of the body of a person who is exposed to the cold and sometimes wet conditions which obtain at sporting events such as football or soccer games or any other outdoor activity. The present application claims priority based upon provisional patent application 60/209404, D filed JUNE 1, 2000 by the same inventor as this application.

Field of the Invention

The present invention relates to the field of protective devices or garments primarily intended for use by spectators at sporting events. Many of such sporting events are presented in large stadiums designed to hold tens of thousands of people on floor and seats of concrete, metal, wood, or other hard heat conducting surfaces. In many such outdoor stadiums, the stadium receives heavy snow or rain or both and the depth of moisture in the stadium is often more than six inches. For this reason, waterproofing to at least that depth is exceedingly important for a spectator cover.

Description of the Prior Art

The closest prior art known to the applicant is shown in U.S. patents 5,283,909 and 3,597,764 and 2,242,130. None of these patents shows either the physical structure or the function taught by the present invention. In particular no known structure for such a personal cover shows the combination of flexibility, warmth, and waterproof qualities necessary for

1 the active spectator. The bottom of the cover on which the feet
2 of the spectator rest must be flexible for the spectator to
3 remain properly balanced while moving, stomping and cheering yet
4 dry and warm. The present invention meets all of these
5 objectives. The present invention permits the spectator who is
6 wearing the cover to retain a tactile sense of the surface on
7 which he or she is standing through the very thin bottom surface
8 of the cover which is highly flexible yet waterproof.

9 *Summary of the Invention*

10 The present invention teaches, in two embodiments, novel
11 spectator covers, generally made of a soft flexible, insulated,
12 waterproof or water resistant material. The present inventive
13 cover must retain sufficient flexibility to enable the user to
14 retain his or her balance in an environment where the spectator
15 is physically active in cheering and mobile enough to permit
16 other spectators to pass by him or her in moving across the row
17 of seats commonly found in a modern sports arena.

18 *Brief Description of the Drawings*

19 Figures 1 shows a front perspective view of one embodiment
20 of the present invention.

21 Figures 2 and 3 are front perspective views of the
22 embodiment shown in Figures 1 showing the upper and lower
23 portion of the present invention.

24 Figure 4 is a sectional view of the lower portion of the
25 present invention taken along the lines 4-4 shown in Figure 3.

1 Figure 5 is a partial perspective view of the upper portion
2 of the present invention showing a second embodiment of the
3 upper portion of the invention.

4 Figure 6 is front perspective view of the present invention
5 in its carrying cover forming part of the present invention.
6

7 *Description of the Preferred Embodiment*

8 Figure 1 is a perspective view of a first embodiment of the
9 present invention in which a novel cover 10 for a spectator at a
10 sporting or other outdoor event is shown. The cover has a
11 generally tubular or cylindrical shape open at one end and
12 closed at the other end and having about a twenty inch diameter
13 and an axial length of about forty-five inches. The lower
14 portion of the cylinder 15 is formed of a two-part multi-layer
15 material with a waterproof base of about twenty inches in
16 diameter and eight inches in axial length when finished. The
17 waterproof base has an inner insulated layer 44 as shown in
18 Figure 4. The outer layer 40 may be a vinyl or plastic and the
19 inner layer may be wool, cotton, or any other insulating
20 material. The lower portion of the base is formed from an
21 essentially flat circular member 16. The upper portion of the
22 base 14 is formed from a similar material as the lower portion
23 but shaped in a rectangular form such that when attached to the
24 base it forms a cylinder about eight inches in axial length and
25 about twenty inches in diameter closed at one end.

1 The upper portion of the bag 11 is formed of a wind and
2 water resistant material such a dense or tightly woven nylon
3 material for an outer layer 12. Upper portion 11 also has an
4 inner layer 13 of double sided fleece material of wool, cotton,
5 or other suitable fabric which is both soft and flexible.

6 The upper portion 11 of the bag is able to be opened along
7 the major part of its axial length to permit the user easy entry
8 to the bag as shown in Figure 2 and attached Appendix A inside
9 front cover which is hereby incorporated by reference into this
10 application. Along the axial portion of the bag on either side
11 of the opening are mating hook and loop fastening material 28
12 and 29 (although a zipper or other fastener could be substituted
13 for the hook and loop closure).

14 At the other end of the bag, away from the base 15 is
15 formed, usually by sewing, a runway 22 through which runs a cord
16 24 formed of polyester or nylon. The cord exists the runway
17 either at the ends thereof 21,23 or through eyelits 123, 125
18 shown in Figure 5 formed in the runway at both ends. If the
19 eyelits 21, 23 are employed, the ends of the runway 22 are
20 closed as shown in Figure 5. The cord has a "barrel stop" 30 or
21 similar termination to prevent the cord from sliding into the
22 stitched runway.

23 A plurality of pockets 20 and 50 are attached to the bag.
24 One pocket 50 is inside the bag at the upper or waist level and
25 the other 20 on the outside of the bag at a level between one-
third to one-quarter the distance from the base of the bag.

1 Either or both pockets 20,50 may be closed by either a mating
2 hook and loop closure 54, 52 or any other suitable closing
3 structure.

4 The entire bag is able to be fitted in a carry bag 60, shown in Figure
5 6, cylindrical in shape, with a rimmed top 64 with a runway 66 which has an
6 opening 68 for a two cord shoulder strap 62 which acts as a closure for the
7 carry bag. A clasp 70 is attached to the carry bag to enable its attachment
8 to the bag while the bag is itself in use.
9

10 The embodiments of the present invention which have been
11 shown and described are illustrative of the main principles of
12 the invention but the following claims shall not be limited to
13 the embodiments shown. The claims are intended to cover and do
14 cover those variations of the invention which are apparent to
those skilled in the art.

15 *Claims*

16 I claim:

17 1. A cover for a spectator at sporting events comprising:

18 a first soft, flexible cylindrical upper member having an
19 inside and outside member in which the upper member is able to
20 be opened and closed to permit the insertion of the lower
21 portion of the body of the spectator;

22 the upper member outside member is formed of a wind and
23 water resistant material and the inside member formed of a heat
insulating material;

24 the upper member has near its upper end a runway member to
25 receive a closure member for closing the upper member tightly
about the body of the spectator;

1 a waterproof base member is attached to the first upper
2 member and is formed of a first circular portion and and a first
3 rectangular portion which are fixed together to form a very thin
4 bottom for the spectator cover;

5 the base portions are both formed in two layers, a first
6 waterproof layer and a second insulating layer, such that the
7 base member is sufficiently flexible and thin so that the
8 spectator can walk while wearing the cover without losing his or
9 her balance because the spectator does not lose the sense of
10 touch of the surface on which he or she is walking.

11 2. The spectator cover claimed in claim 1 wherein:

12 The upper member is open at the end opposite the base
13 member wherein the opening is closable by hook and loop fastener
14 members fixed on each side of the opening.

15 3. The spectator cover claimed in claim 1 wherein the base
16 member extends upwardly toward the open end of the cover about
17 one-fifth of the total length of the cover to provide a
18 waterproof cover of sufficient depth.

19 4. The spectator cover claimed in claim 1 including further a
20 carry bag member adapted to contain the spectator cover having a
21 closure means at the upper end of the carry bag and a hook for
22 attaching the carry bag to the spectator cover.

23 5. The spectator cover claimed in claim 1 wherein the base
24 member is waterproof to at least an eight inch depth.

1
2 Abstract
3

4 A novel cover for a spectator at a sporting or other outdoor
5 event having a generally tubular or cylindrical shape open at
6 one end and closed at the other end having an approximate twenty
7 inch diameter and a axial length of about forty-five inches when
8 finished. The lower portion of the cylinder is formed of a
9 multi-layer material with a waterproof base of about twenty
10 inches in diameter and eight inches in axial length when
11 finished. The waterproof base has an inner insulated layer.
12 The outer layer may be of vinyl or plastic and the inner layer
13 may be wool, cotton, or any other insulating material.

14 The upper portion of the bag is formed of a wind and water
15 resistant material such a dense or tightly woven nylon material
16 for an outer layer and double sided fleece material formed of
17 wool, cotton, or other suitable fabric which is both soft and
flexible.

18 The upper portion of the bag is kept open along the major part
19 of its axial length to permit the user easy entry to the baq.
20 Along the axial portion of the bag on either side of the opening
21 are mating hook and loop fastening material (although a zipper
22 could be substituted for the hook and loop closure).

23 At the other end of the bag, away from the base is formed,
24 usually by sewing, a runway through which runs a cord formed of
25 polyester or nylon. The cord exits the runway either at the end
thereof or through eyelits formed in the outer surface of the

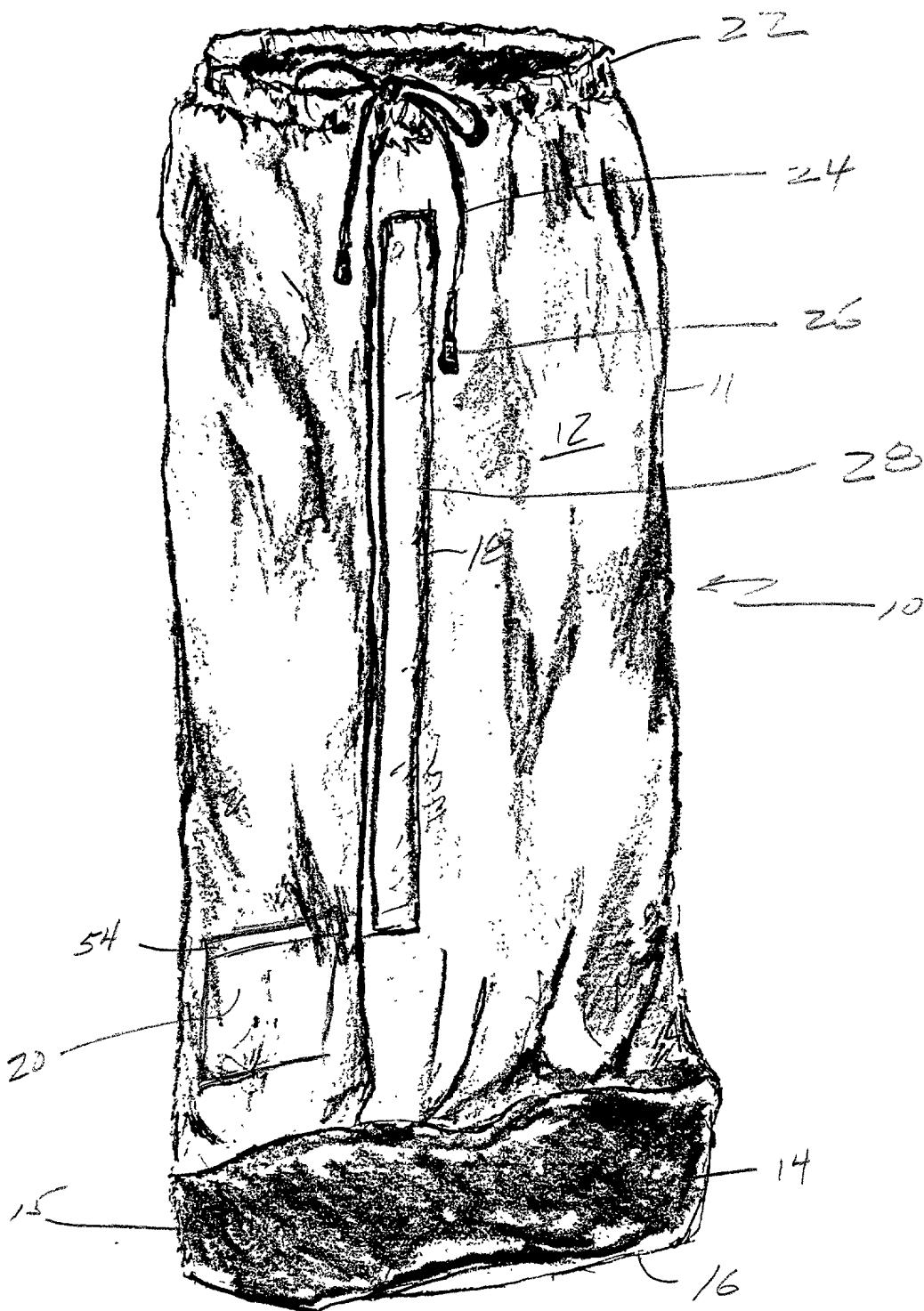
1 runway at either end thereof. The cord has a "barrel stop" or
2 similar termination to prevent the cord from sliding into the
3 stitched runway.

4 A plurality of pockets are attached to the bag. One pocket is
5 inside the bag at the upper or waist level and the other on the
6 outside of the bag at a level between one-third to one-quarter
7 the distance from the base of the bag. Either or both pockets
8 may be closed by either a mating hook and loop closure or any
9 other suitable closing structure.

10 The entire bag is able to be fitted in a carry bag, cylindrical
11 in shape, with a rimmed top for a two cord shoulder strap which
12 acts as a closure for the carry bag. A clasp is attached to the
13 carry bag to enable its attachment to the bag while the bag is
14 itself in use.

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BAG-A-FAN

Fig 1

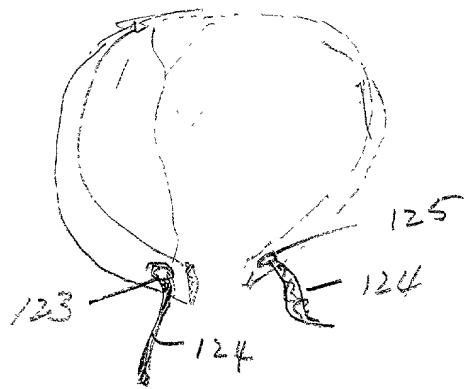


Fig. 5

Fig. 6

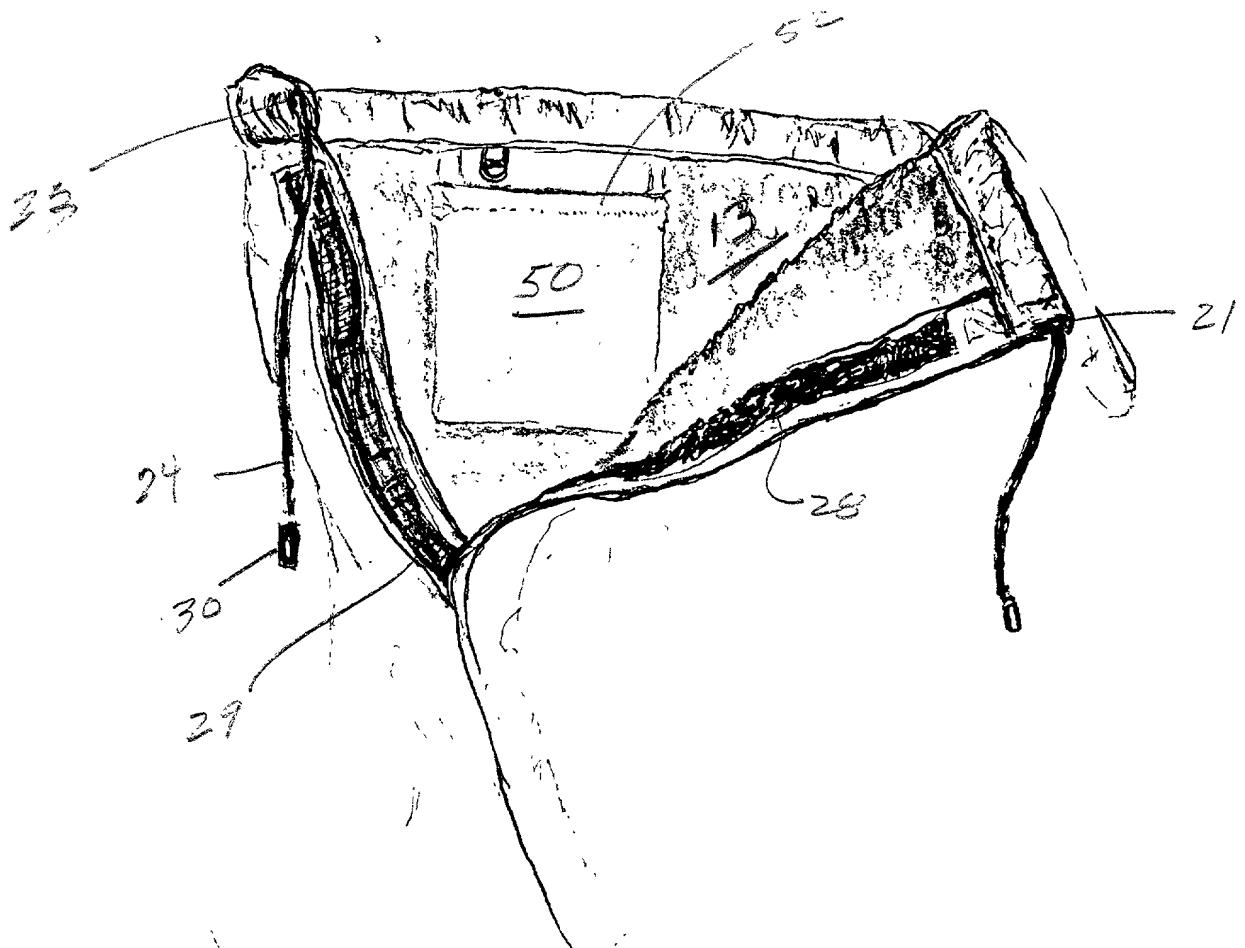
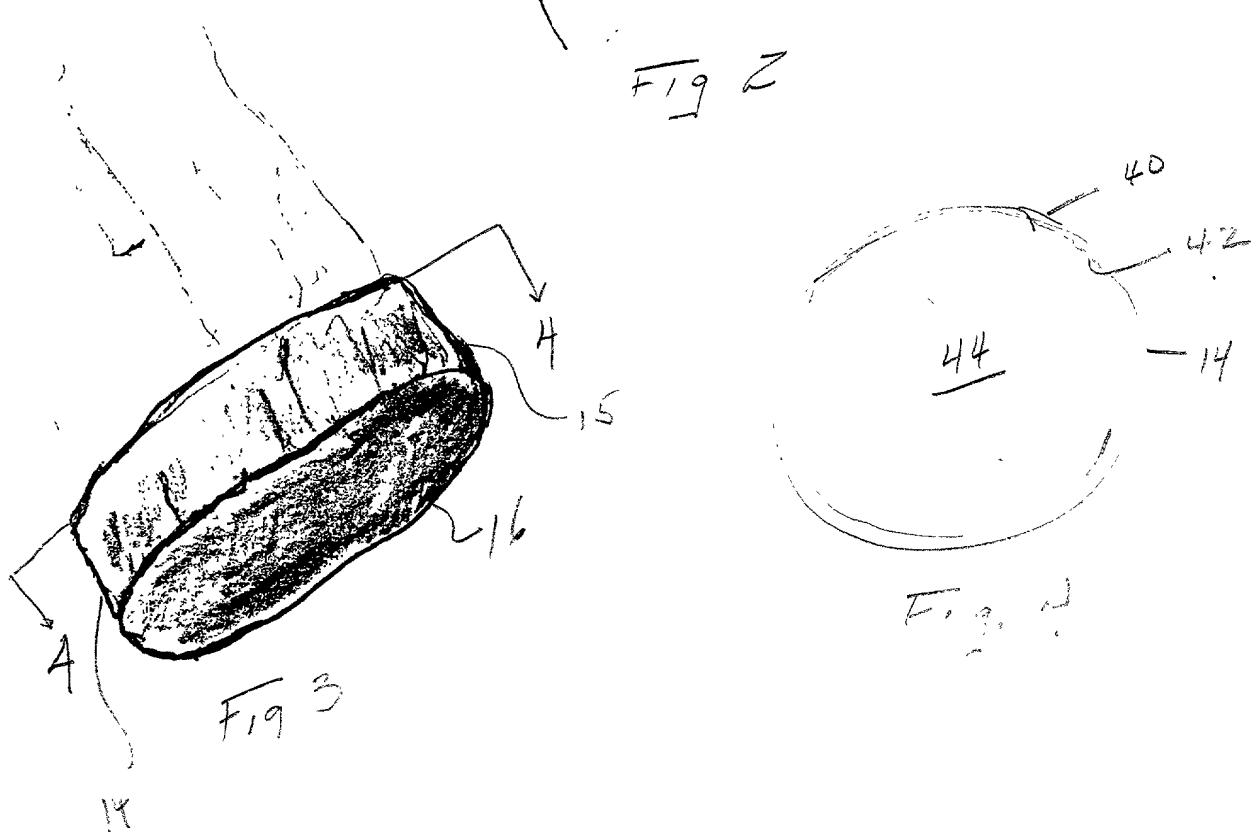


Fig 2



18

1 DECLARATION FOR PATENT APPLICATION

2 As a below named inventor, I hereby declare:

3 My residence, post office address and citizenship are as stated below next to
my name.

4 I believe I am the original, first and sole inventor, if only one name is
listed below, or an original, first and joint inventor, if plural names are
5 listed below of the subject matter which is claimed and for which a patent is
sought on the invention entitled OUTDOOR SPECTATOR COVER, the specification
of which is attached hereto or was filed on: ATTACHED.

6 I hereby state that I have reviewed and understand the contents of the above
identified specification and claims, as amended by any amendment referred to
above.

7 I acknowledge my duty to disclose information which is material to the
examination of this application in accordance with 37 C.F.R. 1.56(a).

8 I hereby claim foreign priority benefits under 35 U.S.C. 119 of any foreign
9 application for patent or inventor's certificate listed below and I have also
identified below any foreign application for patent or inventor's certificate
having a filing date before that of the application on which priority is
10 based: NONE

11 I hereby claim the benefit under 35 U.S.C 120 of any United States patent
application listed below and, insofar as the subject matter of each of the
claims of this application is not disclosed in the prior United States patent
application in the manner provided by 35 U.S.C 112, first paragraph, I
acknowledge the duty to disclose material information as defined in 37 C.F.R.
1.56(a) which occurred between the filing date of the prior applications and
the national or PCT international filing date of this application: 60/209404,
FILED JUNE 1, 2000.

15 I hereby appoint DAVID S. WORONOFF, Reg. No. 22673, attorney to prosecute
this application and to transact all business in the Patent and Trademark
Office connected therewith.

17 Please address all correspondence to: DAVID S. WORONOFF, 500 CASTLE MOUNTAIN
ROAD, LIVERMORE, CO 80536. Please address all telephone calls to DAVID S.
WORONOFF AT (970) 472-1776.

18 I hereby declare that all statements made herein of my own knowledge are true
and that all statements made on information and belief are believed to be
true; and further that these statements were made with knowledge that willful
19 false statements and the like so made are punishable by fine or imprisonment,
or both, under Section 1001 of Title 18 of the United States Code, and that
20 such willful false statements may jeopardize the validity of the application
or any patent issued thereon.

22 Inventor's signature: 

23 Full name of sole or first inventor: JOEY ROTHMAN

Citizenship: U.S.A.; Residence: Greeley, Colorado

Post Office Address: 6516 26th Street, Greeley, CO 80634

Date: October 16, 2000.